



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/495,822	06/28/95	WILLIAMS	C Q95-1030-US1

VERDIER, C EXAMINER

34M1/0205

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ART UNIT	PAPER NUMBER
3401	3/A

DATE MAILED: 02/05/96

### NOTICE OF ALLOWABILITY

#### PART I.

- ☐ This communication is responsive to \_\_\_\_\_.
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 1-25
- ☒ The drawings filed on 6-28-95 are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
- ☒ Note the attached Examiner's Amendment.
- ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

#### PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

#### Attachments:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Examiner's Amendment                        | <input type="checkbox"/> Notice of Informal Application, PTO-152       |
| <input checked="" type="checkbox"/> Examiner Interview Summary Record, PTOL-413 | <input checked="" type="checkbox"/> Notice re Patent Drawings, PTO-948 |
| <input checked="" type="checkbox"/> Reasons for Allowance                       | <input type="checkbox"/> Listing of Bonded Draftsmen                   |
| <input checked="" type="checkbox"/> Notice of References Cited, PTO-892         | <input type="checkbox"/> Other   |
| <input checked="" type="checkbox"/> Information Disclosure Citation, PTO-1449   |  |

08/495,822

Art Unit: 3401

***Election/Restriction***

This application contains claims directed to the following patentably distinct species of the claimed invention:

I. Figures 2-4.

II. Figure 5.

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-3, 19, 21, and 22 are generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

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Art Unit: 3401

During a telephone conversation with Mr. David Harrison, Attorney for Applicants, on January 25, 1996 a provisional election was made without traverse to prosecute the invention of species I, claims 1-13, 19, and 21-25. Affirmation of this election must be made by applicant in responding to this Office action. Claim 26 is withdrawn from further consideration by the Examiner, 37 C.F.R. § 1.142(b), as being drawn to a non-elected species.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

This application is in condition for allowance except for the presence of claim 26 to a species nonelected without traverse. Accordingly, claim 26 has been cancelled.

Claims 1-25 are allowable because the generic independent claims 1 and 22 have been found to be allowable.

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Art Unit: 3401

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

In The Specification:

On page 7, line 8, "Clearance" has been ~~changed~~ to -- clearance --.

On page 18, line 3, "bearing" has been ~~changed~~ to -- bearings --.

In The Claims:

In claim 9, line 11, "a" (second occurrence) has been ~~changed~~ to -- the --.

The above changes have been made to correct minor clerical errors in the specification and claim 9.

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Art Unit: 3401

The following is an Examiner's Statement of Reasons for Allowance:

None of the prior art of record discloses or suggests a method for applying fluid lubricant to a hydrodynamic bearing comprising the steps of reducing clearance space pressure levels of clearance spaces in the bearing to reduced levels relative to an ambient pressure level, applying fluid lubricant to the clearance spaces, and returning the clearance space pressure levels to levels above the reduced pressure levels and none of the prior art of record discloses any means for performing the above functions.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Prior Art***

Prior art made of record and not relied upon is considered pertinent to Applicant's disclosure and consists of 4 patents.

Miwa is cited to show a conventional hydrodynamic bearing.

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Art Unit: 3401

Nakahara is cited to show a hydrostatic bearing whereby a bearing clearance is formed by supplying pressurized gas to the bearing surface and liquid is fed to the clearance to reduce the rate of static pressure drop of the gas.

British Patent 689,647 is cited to show a spindle bearing with end caps.

Japanese Patent 103,021 is cited to show a static pressure bearing having pressurized oil flow into the interior.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Verdier, whose telephone number is (703) 308-2638. The examiner can normally be reached on Monday-Friday from 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look, can be reached on (703) 308-1044. The fax phone number for this Group is (703) 305-3463.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0861.

*CW*

Christopher M. Verdier  
February 3, 1996

*Ed Look*  
EDWARD K. LOOK  
SUPERVISORY PATENT EXAMINER  
GROUP 3400

*2/5/96*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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34M1/0205

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NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
02/05/96	08/28/95	825	VERDIER, C. 3181	02/05/96
First Named Applicant				

TITLE OF INVENTION  
WILLIAMS, CARL D.  
METHOD AND APPARATUS FOR APPLYING LUBRICANT TO A HYDRODYNAMIC BEARING

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
005 1000 US1	104 022.000	707	UTILITY	NO	\$1200.00	05/05/96

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
  - B. If the Status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

If the SMALL ENTITY is shown as NO:  
A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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